



RECEIVED
CENTRAL FAX CENTER

SEP 29 2004

FACSIMILE COVER SHEET

DATE: September 29, 2004

TO: Examiner Hung T. Vy
GAU: 2828

FAX NO.: 703-872-9306

FROM: Jeffrey S. Abel

RE U.S. App. No.: 09/863,013, Filed May 22, 2001

Allowed: March 17, 2004

Applicant(s): Milan R. Kokta, et al.

Atty Dkt No.: 1035-BI3918-US

Title: COBALT-DOPED SATURABLE ABSORBER Q-SWITCHES AND
LASER SYSTEMS

NO. OF PAGES (including Cover Sheet): 5

MESSAGE:

Attached please find:

- ☒ Transmittal Form (1 pg)
- ☒ Third Rule 312 Communication w/Attachments (3 pgs)

5000 Plaza On The Lake
Suite 265
AUSTIN, TEXAS 78746

Tel: (512) 327-5515

CONFIDENTIALITY NOTE

The pages accompanying this facsimile transmission contain information from the law office of Toler, Larson & Abel, L.L.P. and are confidential and privileged. The information is intended to be used by the individual(s) or entity(ies) named on this cover sheet only. If you are not the intended recipient be aware that reading disclosing copying distribution or use of the contents of this transmission is prohibited. Please notify us immediately if you have received this transmission in

PAGE 1/5 * RCVD AT 9/29/2004 3:00:48 PM [Eastern Daylight Time] * SVR:USPTO-EFXXRF-1/7 * DNIS:8729306 * CSID:5123275452 * DURATION (mm-ss):01:46

PTO/SB/21 (05-03)

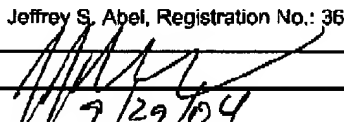
Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/863,013	
	Filing Date	May 22, 2001	
	First Named Inventor	Milan R. Kokta, et al.	
	Art Unit	2828	
	Examiner Name	Hung T. Vy	
Total Number of Pages In This Submission	4	Attorney Docket Number	1035-BI3918-US

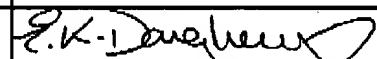
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Third Rule 312 Communication w/Attachment
Remarks Customer No.: 34456		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Jeffrey S. Abel, Registration No.: 36,079		
Signature			
Date	9/29/04		

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Elise K. Dougherty		
Signature		Date	9-29-04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Milan R. Kokta, et al.

Title: COBALT-DOPED SATURABLE ABSORBER Q-SWITCHES AND LASER SYSTEMS

App. No.: 09/863,013

Filed: May 22, 2001

Examiner: Hung T. Vy

Group Art Unit: 2828

Customer No.: 34456

Confirmation No.: 7269

Atty. Dkt. No.: 1035-BI3918-US

Allowed: March 17, 2004

RECEIVED
CENTRAL FAX CENTER
SEP 29 2004Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

THIRD RULE 312 COMMUNICATION

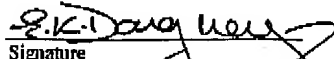
Dear Sir:

One May 12, 2004, Applicants filed a Rule 312 Communication requesting acknowledgement of several Information Disclosure Statements during the prosecution of the above-identified application. In response, the PTO forwarded initialed form PTO-1449's in response thereto. The Examiner is thanked for consideration of the references cited therein. However, two of the references cited on the form PTO-1449 filed November 13, 2001 have not been initialed by the Examiner. Enclosed is a copy of that partially initialed form PTO-1449. Courtesy copies of those references were filed in the USPTO on July 21, 2004. The Examiner is requested to consider the cited references and return a copy of the fully initialed form PTO-1449.

Should the Examiner have any questions or comments regarding this or any other communication, the Examiner is invited to telephone Applicants' undersigned representative at the number listed below.

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents on 9-29-04

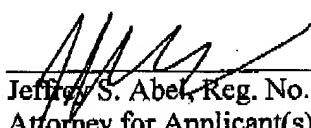
Elise K. Dougherty
Typed or Printed Name
Signature

Applicants do not believe that any additional fees are due, but if the Commissioner believes additional fees are due, the Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

Date

9/28/04


Jeffrey S. Abel, Reg. No. 36,079
Attorney for Applicant(s)
TOLER, LARSON & ABEL, L.L.P.
5000 Plaza On The Lake, Suite 265
Austin, TX 78746
(512) 327-5515 (phone)
(512) 327-5452 (fax)